REMARKS

Claims 15 to 28 are now pending in this application. Applicants reserve the right to file a continuation application involving those claims (claims which applicants are currently appealing).

Applicants respectfully request reconsideration of the present application in view of this amendment.

Applicants thank the Examiner for allowing claims 21 to 28.

Applicants also thank the Examiner for indicating that claims 16 to 20 would be allowable if rewritten in independent form including all the limitations of the base claims and any intervening claims. Since Applicants believe that claim 15 is also allowable, the claims 16 to 20 have not been rewritten as independent claims.

Claim 15 was rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 4,597,079 to Aoki et al. ("Aoki reference") in view of U.S. Patent No. 4,722,083 to Tirro et al. ("Tirro reference").

The Aoki reference purportedly concerns a redundant switchover system for TDMA satellite communication system for relaying messages from earth station to earth station via a communication satellite, an initially active terminal unit (1) for determining at an early stage that the transmit burst synchronization is lost, and an initially stand-by terminal unit (2) determines at a later stage that the transmit burst synchronization is lost. Abstract, lines 1-8. The Aoki refers to a fault in only the transmit portion of a first unit, which is undetected by other means, is detected by the first terminal unit, but not the second terminal unit. Abstract, lines 8-11. The Aoki reference further refers to the second terminal unit as not determining loss of transmit burst synchronization until after the second transmit portion has been in operation for a sufficient period of time to establish whether it is operating properly. Abstract, lines 11-15.

The Tirro reference purportedly concerns a satellite telecommunications system featuring multi-beam coverage and dynamically controlled allocation of the satellite transmission capacity, of the type where a number of earth stations are linked to a satellite on board which regeneration of the earth-to-satellite signal is brought about. Abstract, lines 1-6. The Tirro reference refers to the system featuring a modular beam-switching pattern and utilizing asynchronous protocol procedures for the exchanges between earth traffic stations and master station relative to telephone conversations and videoconferences, and for remote control of an

on-board switching matrix which operates the system, i.e., allocates the satellite's transmission capacity so as to serve all the earth stations. Abstract, lines 6-14.

Claim 15 is directed to a process for controlling a use of a satellite transmission capacity in order to achieve a substitution of out-of-order data lines in terrestrial networks such that an alternative routing via a satellite is initiated and monitored and an assignment is effected with respect to the alternative routing.

The Aoki and Tirro references, alone or in combination, do not teach or suggest each and every claim feature, as recited in claim 15, including: causing *a plurality of controllers controlled by software* and *respectively allocated to one of a master terminal and a slave terminal to achieve a control that is automatic, decentralized, and local*; *causing the plurality of controllers to detect a need for the alternative routing based on an analysis of a data control signal from a data transmission device of a user*; *using a control software to monitor locally and automatically an occupancy state of the satellite transmission capacity*; and *carrying out software-controlled alternative routing operations via a respective one of the plurality of controllers*.

The Aoki reference refers to a TDMA system in which, in a normal state, the synchronization of transmit signals, i.e., transmit bursts, is realized in the active terminal unit 1 by the received bursts; and, simultaneously, in a normal state, the synchronization of transmit bursts is realized in the stand-by terminal unit 2 by the received bursts, althought the transmit bursts from the terminal unit 2 are not transmitted to the satellite SAT. Col. 4, lines 16-23. The Aoki reference further states that in a TDMA communication syste, in order to transmit a sequence of bursts time-divisionally to the satellite SAT, synchronization of the transmit bursts is indispensible – and such synchronization is carried out by detecting the unique word UW of its own burst included in the bursts. Col. 3, lines 53-58. The Aoki reference describes its redundant switchover system having TDMA terminal units 1, 2, a switch 3 for selecting a terminal unit 1, 2, an up converter 4 which is a kind of frequency converter, a high power transmitter 5, an antenna 6, a low noise receiver 7, a down converter 8, and a distributor 9. Col. 3, lines 59-68. The switch 3 is controlled by a switchover logic unit 10, wherein a transmit signal is supplied from an active terminal unit 1 via the switch 3 and the up converter 4 to the transmitter 5, and is transmitted from the antenna 6 to the satellite SAT. Only one transmit signal or burst from either the terminal unit 1 or the stand-by terminal unit 2 is supplied to the up converter 4. Col. 4, lines 1-11.

The Tirro reference does not cure the deficiencies of the Aoki reference. The Tirro reference refers to multi-beam coverage and dynamically controlled allocation of the satellite transmission capacity, where a microprocessor enabled for receipt and handling of a burst carrying remote control signals for an on-board switching matrix 2 for satellite 2a. The Tirro reference in fact is not even properly combinable with the Aoki reference. At col. 3, lines 32-53, the Tirro reference states that the method of proceeding provides a dependability and security in implementation of protocol required by the DSI stations what cannot be guaranteed with a *synchronous* type procedure. Accordingly, Applicants respectfully submit that claim 15 is allowable over the Aoki and Tirro references, alone or in combination (and it is believed the references are not properly combinable since one teaches away from the other). Withdrawal of the rejection of claim 15 under 35 U.S.C. § 103(a) over the Aoki reference in view of the Tirro reference is respectfully requested.

CONCLUSION

In view of all of the above, it is believed that the rejection of claim 15, and the objection to claims 16 to 20 have been obviated, and that all currently pending claims 15 to 28 are allowable. It is therefore respectfully requested that any objections and/or rejections be reconsidered and withdrawn, and that the present application issue as early as possible.

Respectfully submitted, Reg. No. 47084

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